

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 5. This sheet, which includes Fig. 4 and 5, replaces the original sheet including Figs. 4 and 5. Fig. 5 is amended to include the legend "Prior Art".

Attachment: Replacement Sheet

### **REMARKS/ARGUMENTS**

The Office Action mailed February 2, 2005 has been reviewed and carefully considered. Claims 2-6 are canceled. Claims 1, 7, 9, and 10 have been amended. Claims 1 and 7-12 are pending in this application, with claims 1, 9, and 10 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed February 2, 2005, the drawings are objected to because Fig. 5 should include the legend "Prior Art". Fig. 5 is amended to include the legend "Prior Art". Since Fig. 5 is amended in accordance with the Examiner's suggestion, the objection to the drawings should now be withdrawn.

Claims 10-12 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite because the phrase "the pretensioned assembly state" in claim 10 does not have proper antecedent basis. Independent claim 10 is now amended to provide proper antecedent basis for "the pretensioned assembly state". In view of the amendments, the rejection of claims 10-12 under 35 U.S.C. §112, second paragraph, should now be withdrawn.

Claims 1-12 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 6,409,002 (Orlamunder) in view of U.S. Patent No. 4,660,695 (Fukatani).

The independent claims 1, 9, and 10 have each been amended to recite that a plurality of spacer pins are arranged on the housing to support the energy storage element and that each of the spacer pins includes a support area at an end facing away from the housing. Support for these limitations is found in original claims 2 and 3 and also at paragraph 0020, lines 1-5. The independent claims 1, 9, and 10 are further amended to recite that at least one assembly pretensioning element is positioned between the energy storage element and the supporting area

of each spacer pin so that a force feedback of the energy storage element occurs through the spacer pins themselves when the energy storage element is in the pretensioned assembly position. Since the force feed back is through the spacer pin themselves, this arrangement prevents the force feedback from deforming the housing. Support for this latter limitation is found at the last sentence of paragraph 0022.

The combined teachings of Orlamunder and Furatani fail to disclose, teach or suggest the claimed arrangement of spacer pins and assembly pretensioning element in which a force feedback of the energy storage element occurs through the spacer pins themselves when the energy storage element is in the pretensioned assembly position. Orlamunder discloses a pressure plate subassembly in which spacer pins 36 are connected to a housing support a force accumulator 34 (i.e., pressure spring). As stated in the Office Action, Orlamunder fails to disclose, teach or suggest the claimed pretensioning arrangement.

Furatani fails to teach or suggest what Orlamunder lacks because (1) Furatani discloses an arrangement in which the diaphragm spring is arranged inside of the clutch cover; and there is no motivation to provide the removable ring 21 of Furatani in the pressure plate subassembly of Orlamunder; and (2) even if the teachings were combined, the combined teachings of Orlamunder and Furatani fail to teach or suggest the claimed invention.

Regarding the first reason, Furatani discloses a diaphragm spring holding structure for a clutch cover assembly in which a spring 4 is arranged on an inside of a clutch cover 3. The clutch cover 3 is punched and bent to produce tabs 10. A diaphragm spring 4 is held between two annular rings 11, 12 which are held between the tip 13 of the tab 10 and the cover 3. A further ring 21 is inserted between the spring 4 and a projection 20 on the clutch cover 3 to hold the spring in its fully compressed state as if it were in an assembled clutch (see

col. 3, lines 1-3 of Furatani). Since the spring holding configuration of Fukatani is designed to hold the spring inside of the clutch cover, there is no motivation for combining the spring holding configuration of Fukatani with the pressure plate subassembly of Orlamunder.

However, even if the teachings of Furatani and Orlamunder were combined, the resulting teachings fail to disclose the present invention. The further ring 21 of Furatani is arranged between the diaphragm spring and a projection 20 on the clutch cover. Therefore, there is no teaching or suggestion for arranging an assembly pretensioning element between a support area at a free end of a spacer pin and the spring, as expressly recited in independent claims 1, 9, and 10.

Furthermore, Furatani discloses the use of a tab 10 which is formed from a portion of the clutch cover instead of a spacer pin. Since the tab 10 and projection 20 of Furatani are both part of the clutch cover there is no teaching or suggestion for "at least one assembly pretensioning element positioned between said energy storage element and said supporting area of said each of said spacer pins so that a force feedback of the energy storage element occurs through the spacer pins themselves when said energy storage element is in the pretensioned assembly position", as expressly recited in independent claims 1, 9, and 10.

In view of the above amendments and remarks, it is respectfully submitted that independent claims 1, 9, and 10 are allowable over Orlamunder in view of Furatani.

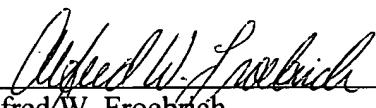
Dependent claims 7-8 and 11-12, each being dependent on one of independent claims 1 and 10, are deemed allowable for the same reasons expressed above with respect to independent claims 1 and 10.

The application is now deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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